

United States District Court
for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 07, 2024

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Justin William Russell

Case Number: 0980 2:19CR00196-TOR-1

Address of Offender: [REDACTED] Spokane Valley, Washington 99206

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: February 20, 2015

Original Offense: Conspiracy to Distribute Methamphetamine, 21 U.S.C. § 846

Original Sentence: Prison - 77 months Type of Supervision: Supervised Release
 TSR - 60 months

Revocation Sentence: Prison - 6 months
(July 27, 2021) TSR - 34 months

Revocation Sentence: Prison - 14 months
(May 30, 2023) TSR - 30 months

Asst. U.S. Attorney: U.S. Attorney's Office Date Supervision Commenced: March 1, 2024

Defense Attorney: Federal Defender's Office Date Supervision Expires: August 31, 2026

PETITIONING THE COURT

To issue a summons.

On March 5, 2024, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Russell, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	Special Condition #3: You must abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
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Special Condition #3: You must abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Russell allegedly violated the terms of his supervised release by failing to appear for random urinalysis testing as directed on August 23, 2024.

On March 5, 2024, Mr. Russell was advised he would be placed on the phase urinalysis testing program at Pioneer Human Services (PHS). Mr. Russell was further advised he would be on the urinalysis testing color brown 2. He was directed to call the testing line

Prob12C

Re: Russell, Justin William**October 4, 2024****Page 2**

daily, and was to report to PHS on the days brown 2 was called, in order to submit to urinalysis testing. Mr. Russell acknowledged an understanding of this process.

On August 23, 2024, without being excused and/or contacting the undersigned in any manner, Mr. Russell failed to report to PHS to submit to urinalysis testing, as his previously assigned color, brown 2, was scheduled to test on that date.

2

Special Condition #3: You must abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Russell allegedly violated the terms of his supervised release by failing to appear for random urinalysis testing as directed on September 5, 2024.

On March 5, 2024, Mr. Russell was advised he would be placed on the phase urinalysis testing program at PHS. Mr. Russell was further advised he would be on the urinalysis testing color brown 2. He was directed to call the testing line daily, and was to report to PHS on the days brown 2 was called, in order to submit to urinalysis testing. Mr. Russell acknowledged an understanding of this process.

On September 5, 2024, without being excused and/or contacting the undersigned in any manner, Mr. Russell failed to report to PHS to submit to urinalysis testing, as his previously assigned color, brown 2, was scheduled to test on that date.

3

Mandatory Condition #3: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

Supporting Evidence: It is alleged that Mr. Russell violated the terms of his supervised release by using methamphetamine on or about September 10, 2024.

On September 10, 2024, Mr. Russell provided a urine sample that tested presumptive positive for methamphetamine. Thereafter, Mr. Russell admitted to the undersigned, and via a written statement, that he had used methamphetamine "on and off the past 2 weeks."

4

Mandatory Condition #3: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

Supporting Evidence: Mr. Russell allegedly violated the terms of his supervised release by using methamphetamine on or about September 15, 2024.

On September 16, 2024, Mr. Russell provided a urine sample that tested presumptive positive for methamphetamine. Thereafter, Mr. Russell admitted via a written statement, that he had last used methamphetamine on September 15, 2024.

5

Mandatory Condition #3: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

Prob12C

Re: Russell, Justin William**October 4, 2024****Page 3**

Supporting Evidence: It is alleged that Mr. Russell violated the terms of his supervised release by using methamphetamine on or about September 16, 2024.

On September 18, 2024, Mr. Russell provided a urine sample that tested presumptive positive for methamphetamine. Thereafter, Mr. Russell admitted to the undersigned, and via a written statement, he had last used methamphetamine on September 16, 2024.

6

Mandatory Condition #3: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

Supporting Evidence: Mr. Russell allegedly violated the terms of his supervised release by using methamphetamine on or about September 27, 2024.

On September 30, 2024, Mr. Russell provided a urine sample that tested presumptive positive for methamphetamine. Thereafter, Mr. Russell admitted to the undersigned, and via a written statement, that he used methamphetamine on September 27 through September 30, 2024.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/04/2024

s/Mark E. Hedge

Mark E. Hedge
U.S. Probation Officer

THE COURT ORDERS

- [] No Action
- [] The Issuance of a Warrant
- [X] The Issuance of a Summons
- [] Other



Thomas O. Rice
United States District Judge

October 7, 2024

Date